

# **EXHIBIT 5**

**EXHIBIT U**  
**(FILED UNDER SEAL)**

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March 1, 2013

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**Highly Confidential – Attorneys' Eyes Only**

*Via Electronic Mail*

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**Re: MediaTek Inc. v. Freescale Semiconductor, Inc., No. 4:11-cv-05341-YGR  
(N.D. Cal.)**

Dear Keith:

I write in response to your February 17, 2013, letter regarding whether certain of Freescale Semiconductor, Inc.'s (Freescale) products have been made, used, sold, offered for sale, or imported into the United States. This letter followed the Court's order denying MediaTek Inc.'s (MediaTek) motion to compel discovery of products not identified in MediaTek's Disclosure of Asserted Claims and Infringement Contentions. Pursuant to the Court's order, the parties met and conferred on this issue on February 21 and 26.

We have investigated the products identified in your letter and report as follows:

**1. Product Families That Do Not Correspond to Freescale Products Made, Used, Sold, Offered for Sale, or Imported**

As I informed your colleagues Michael Wickey and Chris Franklin on February 26, several of the product families identified in your February 17 letter do not correspond to any product made, used, sold, offered for sale, or imported by Freescale. Specifically, Freescale is unaware of any product belonging to the i.MX32, i.MX33, MXC92333, or MXC92324 product families, which you identified in your letter. In addition, Freescale has not manufactured, used, sold, offered for sale, or imported any product according to specifications associated with the internal names Aspen and Whistler.

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## **2. Freescale Products Offered for Sale in the United States**

As MediaTek could have determined from a review of Freescale's publicly accessible website ([www.freescale.com](http://www.freescale.com)), products within the following product families identified in your February 17 letter have been offered for sale in the United States:

- i.MX6
- i.MX21
- i.MX25
- i.MX27
- i.MX37
- Kinetis K series
- Kinetis L series
- MAC71xx Microcontroller Family
- MCF51AG product family
- MCF51CN128 product family
- MCF51JU128x product family
- MCF51Qx product family
- MCF520x product family
- MCF52110 product family
- MCF52211 product family
- MCF5227x product family
- MCF523x product family
- MCF527x product family
- MCF5301x product family
- MCF532x product family
- MCF537x product family
- MCF5441x product family
- MCF5445x product family
- Qorivva MPC55xx product family
- Qorivva MPC56xx product family
- Qorivva MPC57xx product family
- StarCore MSC71xx product family
- PXD10xx Microcontroller product family
- PXD20xx Microcontroller product family
- PXN20xx Microcontroller product family
- PXR40xx Microcontroller product family
- PXS20xx Microcontroller product family
- PXS30xx Microcontroller product family

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- StarCore Digital Signal Processor MSC8144 product family
- StarCore Digital Signal Processor MSC815x product family
- QorIQ Value-Performance Processor Product family (aka P10xx)
- Vybrid VF6 product family

Freescall's website identifies U.S. distributors for each of the above product families. See, e.g., [web.archive.org/web/20111120104509/http://www.freescall.com/webapp/sps/site/prod\\_summary.jsp?code=MCF51Qx&tab=Buy\\_Parametric\\_Tab&nodeId=018rH3YTLC9804&pspll=1&fromSearch=false](http://web.archive.org/web/20111120104509/http://www.freescall.com/webapp/sps/site/prod_summary.jsp?code=MCF51Qx&tab=Buy_Parametric_Tab&nodeId=018rH3YTLC9804&pspll=1&fromSearch=false) (web archive dated November 11, 2011, showing distributors for MCF51Qx microcontrollers); [web.archive.org/web/20120206211318/http://www.freescall.com/webapp/sps/site/taxonomy.jsp?code=MPC5500](http://web.archive.org/web/20120206211318/http://www.freescall.com/webapp/sps/site/taxonomy.jsp?code=MPC5500) (web archive dated February 6, 2012, showing distributors for Qorivva MPC55xx processors); [web.archive.org/web/20120302073735/http://www.freescall.com/webapp/sps/site/taxonomy.jsp?code=POWER\\_ARCH\\_PX](http://web.archive.org/web/20120302073735/http://www.freescall.com/webapp/sps/site/taxonomy.jsp?code=POWER_ARCH_PX) (web archive dated March 2, 2012, showing distributors for PX series microcontrollers). Freescall's website also allows U.S. customers to purchase certain products within these families directly from Freescall. Id. (showing "Buy Direct" option for PXR40xx microcontrollers).

3. [REDACTED]

Your letter inquired about product families MXC91131, MXC91331, and MXC91321.

[REDACTED] The MXC91331 and MXC91321 families were also marketed publicly in connection with Freescall's i.300-30 and MXC300-30 platforms. See [www.freescall.com/webapp/sps/site/prod\\_summary.jsp?code=MXC300-30](http://www.freescall.com/webapp/sps/site/prod_summary.jsp?code=MXC300-30). In April 2009, Freescall announced that it had initiated actions to complete its exit from the cellular handset business. See [media.freescall.com/phoenix.zhtml?c=196520&p=irol-newsArticle&ID=1279526&](http://media.freescall.com/phoenix.zhtml?c=196520&p=irol-newsArticle&ID=1279526&).

We trust that this resolves your inquiry.

Kind regards,

/s/ Joshua A. Hartman

Joshua A. Hartman

cc: Alexander J. Hadjis, Esq.  
Rudy Y. Kim, Esq.